

[Counsel Listed Below]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UniRAM TECHNOLOGY, INC., a California
corporation,

Plaintiff,

v.

MONOLITHIC SYSTEM TECHNOLOGY, a
Delaware corporation; TAIWAN
SEMICONDUCTOR MANUFACTURING
COMPANY LTD., a Taiwan corporation, and
TSMC NORTH AMERICA, a California
corporation,

Defendants.

Case No. CV 04-01268-VRW

**STIPULATION AND ~~PROPOSED~~
ORDER RE: EVIDENTIARY
EXCLUSIONS**

**STIPULATED MOTION AND ~~PROPOSED~~ ORDER RE:
EVIDENTIARY EXCLUSIONS**

WHEREAS plaintiff UniRAM Technology, Inc. (“UniRAM”), and defendants
Taiwan Semiconductor Manufacturing Company, Ltd. and TSMC North America (collectively
“TSMC”) have met and conferred in an effort to streamline issues for trial and reduce the number
of *in limine* requests filed in this case;

STIPULATION AND ~~PROPOSED~~ ORDER RE:
EVIDENTIARY EXCLUSIONS

C:\DESKTOP\TSMC STIPULATION AND ORDER.DOC
787827v1/008734

Case No. CV-04-01268 VRW

1 IT IS HEREBY STIPULATED THAT, UniRAM and TSMC jointly move for and
2 stipulate to entry of an order as follows:

3 1. UniRAM will not raise allegations or offer evidence or testimony that any
4 individual employed by or affiliated with TSMC delayed fabrication of UniRAM designs for
5 purposes of securing an improper payment from, or investment opportunity in, UniRAM.

6 2. UniRAM will not present evidence or testimony of damages arising from
7 revenues earned by TSMC on the sale of TSMC parts numbers TMT292 and TMR724.

8 3. Neither party will raise allegations or offer evidence or testimony or
9 comment from counsel that it has been injured by or incurred litigation expenses or distraction
10 arising from this case, or that the opposing party has engaged in excessive litigation practices
11 such as the number of deposition days or the number of motions.

12 4. Neither party will raise allegations or offer evidence or comment from
13 counsel regarding requests for in limine rulings, or the Court's decision on those requests.
14 However, proper objections may be raised based on any limine orders issued by the Court, and
15 the Court's limitations may be referenced as appropriate.

16 5. Neither party will raise allegations or offer evidence or comment from
17 counsel or any reference whatsoever regarding the presence in the courtroom of any persons other
18 than: witnesses, counsel, corporate representatives, and court personnel. This prohibition
19 includes but is not limited to jury consultants.

20 6. Neither party may comment or offer testimony that constitutes a direct or
21 indirect comment on the law firm or lawyers representing any party including, without limitation,
22 references to the size of the law firm, the geographic location of the law firm's offices, other
23 matters handled by the law firm, or other clients or types of clients represented by the law firm or
24

1 lawyers representing any party. This also includes the nature of any party's fee arrangement with
2 its counsel.

3 The immediately undersigned counsel attests that the contents of this document are
4 acceptable to all persons required to sign the document.

5
6 Dated: August 24, 2007

By: s/ John M. Neukom

7 Max L. Tribble (admitted pro hac vice)
8 Joseph S. Grinstein (admitted pro hac vice)
9 SUSMAN GODFREY L.L.P.
10 1000 Louisiana Street, Suite 5100
Houston, Texas 77002-5096
Telephone: (713) 651-9366
Facsimile: (713) 654-6666

11 John M. Neukom (admitted pro hac vice)
12 SUSMAN GODFREY L.L.P.
13 1201 Third Avenue, Suite 3800
Seattle, Washington 98101
Telephone: (206) 516-3880
Facsimile: (206) 516-3883

15 Michael F. Heim (admitted pro hac vice)
16 Russell A. Chorush (admitted pro hac vice)
17 Robert Tuttle (admitted pro hac vice)
18 HEIM, PAYNE & CHORUSH
600 Travis Street, Suite 6710
Houston, Texas 77002
Telephone: (713) 221-2000
Facsimile: (713) 221-2021
Attorneys for Plaintiff/Counterdefendant
UniRAM TECHNOLOGY, INC.

Dated: August 24, 2007

By: s/Edward R. Reines

Edward R. Reines (State Bar No. 135960)
Paul T. Ehrlich (State Bar No. 228543)
Brandon D. Conard (State Bar No. 234824)
WEIL, GOTSHAL & MANGES L.L.P.
Silicon Valley Office
201 Redwood Shores Parkway
Redwood Shores, California 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

Attorneys for Defendants/Couterplaintiffs
TAIWAN SEMICONDUCTOR
MANUFACTURING COMPANY, LTD, and
TSMC NORTH AMERICA

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: Aug. 28, 2007

By:

